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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/238,995 01/28/99 KAWAN

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EXAMINER

TM02/0928

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ART UNIT

PAPER NUMBER

2164

DATE MAILED:

09/28/01

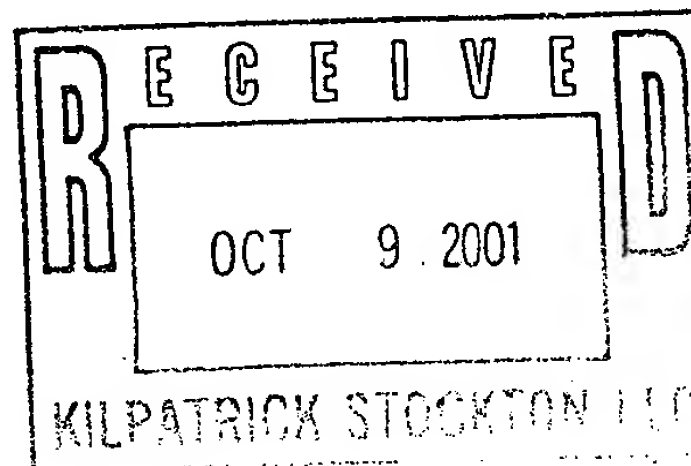
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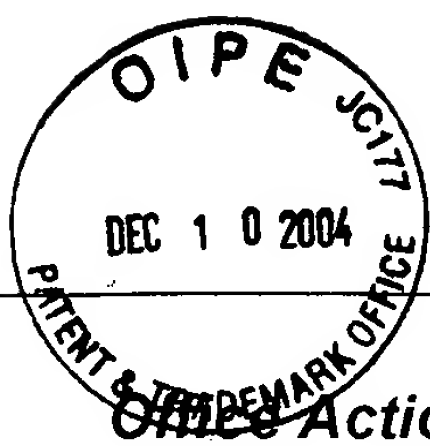
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Office Action Summary

Application No.
09/238,995

Applicant(s)
Kawan

Examiner
Geoffrey Akers

Art Unit
2164



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on Sep 13, 2001

2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-31, 33, and 39-81 is/are pending in the application

4a) Of the above, claim(s) _____ is/are withdrawn from consideration

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-31, 33, and 39-81 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirements

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☐ All b) ☐ Some* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☐ Notice of References Cited (PTO-892)

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____

18) ☐ Interview Summary (PTO-413) Paper No(s). _____

19) ☐ Notice of Informal Patent Application (PTO-152)

20) ☐ Other: _____

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DETAILED ACTION

Response to Amendment

1. This action is responsive to applicant's amendment dated 9/13/01(Paper #6).
2. Claim 1 was amended. Claims 32 and 34-38 were cancelled. Claims 63 and 67 were amended.
New claims 79-81 were added.
3. Claims 1-31,33 and 39-81 are pending.

Claim Rejections - 35 USC § 103

- 4 The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1,6-10,15-18,20-23,25-28,30-31,33,39-51,53,55-59,61-63,67-69,71,73-76,78-81 are rejected under 35 USC 103(a) as unpatentable over Fox (US Pat. No: 5,943,624) in view of Claus(US Pat. No: 5,461,217) and further in view of Saitoh(US Pat. No: 5,929,414).
- 6.(AMENDED)As per claim 1 Fox teaches a method of contactless interfacing for a smart card comprising initiating a contactless communication for a user between a smart card application and an RF interface(col 2 lines 10-21)(Fig 2)(col 2 lines 53-59) and an on-line system and verifying authorization for the communication for the user(col 5 lines 18-21) and communicating information for the user to the on-line system(col 5 lines 6-34).Fox fails to teach on-line communication. Claus teaches on line communication between smart cards(Fig. 1). Saitoh teaches

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establishing a physical contact communication for accessing a smart card(Abstract)(col 2 lines 36-58) It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

7. As per claim 6 Fox teaches the method of claim 1, wherein initiating the communication further comprises initiating the communication between the smart card application on a smart card microcomputer and an RF interface.(Fig 2) (col 2 lines 10-59). Fox fails to teach communication on the on-line system.Claus teaches communication on the online system(Fig. 1/102/141/150/147/143). It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe online generalized communication of smartcards.

8. As per claim 7 Fox teaches the method of claim 1, wherein initiating the communication further comprises initiating the communication between the smart card application and the on-line system of a financial institution(col 5 lines 1-12).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

9. As per claim 8 Fox teaches the method of claim 7, wherein the financial institution further comprises a bank(col 5 lines 1-12).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

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10. As per claim 9 Fox teaches the method of claim 1, wherein initiating the communication further comprises initiating the communication at a terminal(col 5 lines 12-25).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

11. As per claim 10 Fox teaches the method of claim 9, wherein initiating the communication at the terminal further comprises initiating the communication through a contactless communication transceiver of the terminal(Fig. 5).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

12. As per claim 15 Fox teaches the method of claim 11, wherein the terminal comprises a wireless telephone(Figure 1).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Jachimowicz to teach the above. The motivation is to describe online contactless communication of smartcards.

13. As per claim 16 Fox teaches the method of claim 10, wherein initiating the communication further comprises initiating the communication through a wireless transceiver of the terminal(Fig 5). It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

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14. As per claim 17 Fox teaches the method of claim 16, wherein the wireless transceiver further comprises a radio frequency transceiver of the terminal(col 3 lines 60-col 4 line 41).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

15. As per claim 18 Fox teaches the method of claim 17 wheein the terminal comprises an automated teller machine(col 5 lines 13-25).It would havebeen obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

16. As per claim 20 Fox teaches the method of claim 17, wherein the terminal comprises a telephone(col 2 lines 10-29)(col 4 lines 9-29).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

17. As per claim 21 Fox teaches the method of claim 20, wherein the telephone further comprises a wireless telephone(Fig 1).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

18. As per claim 22 Fox teaches the method of claim 10, wherein initiating the communication further comprises initiating the communication through a proximity transceiver of the terminal(Fig. 5). It would have been obvious to one skilled in the art at the time of the invention

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to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

19. As per claim 23 Fox teaches the method of claim 22, wherein the terminal comprises an automated teller machine(col 5 lines 12-25).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

20. As per claim 25 Fox teaches the method of claim 22, wherein the terminal comprises a telephone(col 2 lines 10-29)(col 4 lines 9-29).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

21. As per claim claim 26 Fox teaches the method of claim 25, wherein the telephone further comprises a wireless telephone(Fig. 1). It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

22. As per claim 27 Fox teaches the method of claim 10, wherein initiating the communication further comprises initiating the communication between the contactless communication transceiver of the terminal and a contactless communication transceiver(Fig 5).It would have been obvious to one skilled in the art at the time of the invention teach utilizing a personal assistant and to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

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23. As per claim 28 Fox teaches the method of claim 27, wherein the terminal comprises an automated teller machine(col 5 lines 13-25).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

24. As per claim 30 Fox teaches the method of claim 27, wherein the terminal comprises a telephone(col 2 lines 10-29)(col 4 lines 9-29).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

25. As per claim 31 Fox teaches the method of claim 30, wherein the telephone further comprises a wireless telephone(Figure 1). It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

26. As per claim 33 Claus teaches the method of claim 27, wherein the transfer of funds involves the transfer of money from one card to another(col 7 lines 17-29). It would have been obvious to one skilled in the art at the time of the invention to apply the transfer process to an electronic purse(card) and to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

27. As per claim 39 Claus teaches the method of claim 1, wherein verifying the authorization further comprises verifying the authorization by a key(col 5 lines 19-43)(Fig 1/108/110/116).

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It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the use of a personal data assistant above.

The motivation is to describe generalized online communication of smartcards.

28. As per claim 40 Claus teaches the method of claim 1, wherein verifying the authorization further comprises verifying the authorization by a key(col 5 lines 19-43)(Fig 1/108/110/116).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the use of a terminal above. The motivation is to describe generalized online communication of smartcards.

29. As per claim 41 Claus teaches the method of claim 1, wherein verifying the authorization further comprises verifying the authorization by a key(col 5 lines 19-43)(Fig 1/108/110/116).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the use of a terminal of the on-line system above. The motivation is to describe generalized online communication of smartcards.

30. As per claim 42 Claus teaches the method of claim 1, wherein verifying the authorization further comprises verifying the authenticity of the smart card(col 5 lines 8-19)(Fig 1/126/128/120/104/102).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the use of a terminal of the on-line system above. The motivation is to describe generalized online communication of smartcards.

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31. As per claim 43 Claus teaches the method of claim 1, wherein verifying the authorization further comprises verifying the authorization by a key(col 5 lines 19-43)(Fig 1/108/110/116).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the use of a terminal above. The motivation is to describe generalized online communication of smartcards.

32. As per claim 44 Claus teaches the method of claim 1, wherein verifying the authorization further comprises verifying the authorization by a key(col 5 lines 19-43)(Fig 1/108/110/116).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the use of a terminal above. The motivation is to describe generalized online communication of smartcards.

33. As per claim 45 Fox teaches the method of claim 44, wherein receiving security information further comprises receiving a PIN number for the user(col 5 lines 18-22). It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the use of a terminal above. The motivation is to describe generalized online communication of smartcards.

34. As per claim 46 Fox teaches the method of claim 44, wherein receiving security information further comprises receiving a PIN number for the user(col 5 lines 18-22). It would have been obvioyus to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach including biometric information for the user above.The motivation is to describe generalized online communication of smartcards.

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35. As per claim 47 Claus teaches the method of claim 44, wherein receiving security information further comprises receiving the security information on an input/output device(Fig 1/145/149).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

36. As per claim 48 Claus teaches the method of claim 47, wherein receiving security information further comprises receiving the security information on an input/output device(Fig 1/145/149).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to utilize a personal assistant to teach the above. The motivation is to describe generalized online communication of smartcards.

37. As per claim 49 Claus teaches the method of claim 48, wherein the transfer of funds involves the transfer of money from one card to another(col 7 lines 17-29). It would have been obvious to one skilled in the art at the time of the invention to apply the transfer process to an electronic purse(card) and to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

38. As per claim 50 Fox teaches the method of claim 47, wherein receiving the security information further comprises receiving the information through the input/output device of a terminal(col 5 lines 12-25).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

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39. As per claim 51 Fox teaches the method of claim 50, wherein the terminal comprises an automated teller machine(col 5 lines 12-25).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

40. As per claim 53 Fox teaches the method of claim 50, wherein the terminal comprises a telephone(col 2 lines 10-29)(col 4 lines 9-29).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

41. As per claim 55 Claus teaches the method of claim 1, wherein communicating the information further comprises receiving the information through an input/output device(Fig. 1/141/145/149).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

42. As per claim 56 Claus teaches the method of claim 55, wherein receiving the information further comprises receiving the information through an input/output device(Fig. 1/141/145/149). of a personal data assistant.It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above with the use of a personal data assistant. The motivation is to describe generalized online communication of smartcards.

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43. As per claim 57 Claus teaches the method of claim 56, wherein the transfer of funds involves the transfer of money from one card to another(col 7 lines 17-29). It would have been obvious to one skilled in the art at the time of the invention to apply the transfer process to an electronic purse(card) and to combine Fox in view of Claus and further in view of Saitoh to teach the use of a personal data assistant. The motivation is to describe generalized online communication of smartcards.

44. As per claim 58 Claus teaches the method of claim 55, wherein communicating the information further comprises receiving the information through an input/output device(Fig. 1/141/145/149). It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

45. As per claim 59 Fox teaches the method of claim 58, wherein the terminal comprises an automated teller machine(col 5 lines 13-25). It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

46. As per claim 60 Fox teaches the method of claim 58, wherein the terminal comprises a telephone(col 2 lines 10-29)(col 4 lines 9-29). It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

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47. As per claim 61 Fox teaches the method of claim 30, wherein the telephone further comprises a wireless telephone(Figure 1). It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

48.(AMENDED) As per claim 63 Fox teaches a contactless interface system for a smart card, comprising: establishing a physical contact communication for accessing a smart card application initiating a contactless communication between a smart card application and an on-line system(col 2 lines 10-21)(Fig. 2)(col 2 lines 53-59) and means associated with the initiating means for verifying authorization for the communication(col 5 lines 18-21) and means associated with the verifying means for communicating information to the on-line system(col 5 lines 6-34).

Fox fails to teach on-line communication. Claus teaches on line communication between smart cards(Fig. 1). Saitoh teaches establishing a physical contact communication for accessing a smart card(Abstract)(col 2 lines 36-58) It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

49. As per claim 67 Fox teaches the method of claim 63, wherein initiating the communication further comprises initiating the communication between the smart card application on a smart card microcomputer and an RF interface.(Fig 2) (col 2 lines 10-59). Fox fails to teach communication on the on-line system.Claus teaches communication on the online system(Fig. 1/102/141/150/147/143).It would have been obvious to one skilled in the art at the time of the

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invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

50. As per claim 68 Fox teaches the method of claim 63, wherein initiating the communication further comprises initiating the communication at a terminal(col 5 lines 12-25).

It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

51. As per claim 69 Fox teaches the method of claim 68, wherein the terminal comprises an automated teller machine(col 5 lines 12-25).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

52. As per claim 71 Fox teaches the method of claim 68, wherein the terminal comprises a telephone(col 2 lines 10-29)(col 4 lines 9-29).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

53. As per claim 73 Fox teaches the method of claim 63, wherein initiating the communication further comprises initiating the communication between the contactless communication transceiver of the terminal and a contactless communication transceiver(Fig 5).It would have been obvious to one skilled in the art at the time of the invention teach utilizing a personal assistant and

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to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

54. As per claim 74 Claus teaches the method of claim 73, wherein the transfer of funds involves the transfer of money from one card to another(col 7 lines 17-29). It would have been obvious to one skilled in the art at the time of the invention to apply the transfer process to an electronic purse(card) and to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

55. As per claim 75 Fox teaches the method of claim 63, wherein initiating the communication further comprises initiating the communication between the contactless communication transceiver of the terminal and a contactless communication transceiver(Fig 5).It would have been obvious to one skilled in the art at the time of the invention teach utilizing a personal assistant and to combine Fox in view of Claus and further of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

56. As per claim 76 Fox teaches the method of claim 75, wherein the terminal comprises an automated teller machine(col 5 lines 13-25).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

57. As per claim 78 Fox teaches the method of claim 75, wherein the terminal comprises a telephone(col 2 lines 10-29)(col 4 lines 9-29).It would have been obvious to one skilled in the art

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at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

58. (NEW) As per claim 79 Saitoh teaches the method of claim 1 wherein the accessing of the smart card application comprises executing the smart card application(Fig 1)(col 3 line 46-col 4 line 8)(col 5 line 22-43). It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

59. (NEW) As per claim 80 Saitoh teaches the method of claim 1 wherein the accessing of the smart card application comprises loading the smart card application(col 4 lines 27-45). It would have been obvious to one skilled in the art at the time of the invention to teach loading of the card upon writing to the IC card and to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

60. (NEW) As per claim 81 Saitoh teaches the method of claim 80 further comprising performing the initiating of a contactless communication the verifying authorization and the communicating information(Fig 12)(col 7 line 48-col 8 line 7). It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe generalized online communication of smartcards.

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61. Claim 5 is rejected under 35 USC 103(a) as unpatentable over Fox(US Pat. No: 5,943,624) in view of Claus(US Pat. No: 5,461,217) in view of Saitoh(US Pat. No: 5,929,414) and further in view of Jachimowicz(US Pat. No: 5,789,733).

62. As per claim 5 Saitoh teaches the method of claim 4, wherein initiating the radio frequency communication interface further comprises initiating a proximity communication interface(col 4 lines 27-44).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus in view of Jachimowicz and further in view of Saitoh to teach the above. The motivation is to describe online contactless communication of smartcards.

63. Claim 13 is rejected under 35 USC 103(a) as unpatentable over Fox(US Pat. No: 5,943,624) in view of Claus(US Pat. No: 5,461,217) in view of Jachimowicz(US Pat. No: 5,789,733) and further in view of Pitroda(US Pat. No: 5,590,038).

64. As per claim 13 Pitroda teaches the method of claim 11, wherein the terminal comprises a personal computer(col 2 lines 66-col 3 line 3).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Pitroda and further in view of Jachimowicz to teach the above. The motivation is to describe online contactless communication of smartcards.

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65. Claim 66 is rejected under 35 USC 103(a) as unpatentable over Fox(US Pat. No: 5,943,624) in view of Claus(US Pat. No: 5,461,217) and further in view of Saitoh(US Pat. No: 5,929,414).

66. As per claim 66 Saitoh teaches the method of claim 63, wherein initiating the wireless communication interface further comprises initiating a radio frequency communication interface (col 3 line 47-col 4 line 22)(Fig. 1).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Saitoh to teach the above. The motivation is to describe online contactless communication of smartcards.

67. Claims 2-4,11-12,14,65-66 are rejected under 35 USC 103(a) as unpatentable over Fox(US Pat. No: 5,943,624) in view of Claus(US Pat. No: 5,461,217) and further in view of Jachimowicz(US Pat. No: 5,789,733).

68. As per claim 2 Jachimowicz teaches the method of claim 1 wherein initiating the communication further comprises initiating an infrared communication interface(col 1 line 62-col 2 line 12).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Jachimowicz to teach the above. The motivation is to describe online contactless communication of smartcards.

69. As per claim 3 Jachimowicz teaches the method of claim 1 wherein initiating the communication further comprises initiating an infrared communication interface(col 1 line 62-col 2 line 12), and a wireless form of communication.It would have been obvious to one skilled in

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the art at the time of the invention to combine Fox in view of Claus and further in view of Jachimowicz to teach the above. The motivation is to describe online contactless communication of smartcards.

70. As per claim 4 Saitoh teaches the method of claim 3, wherein initiating the wireless communication interface further comprises initiating a radio frequency communication interface (col 3 line 47-col 4 line 22)(Fig. 1). It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus in view of Jachimowicz and further in view of Saitoh to teach the above. The motivation is to describe online contactless communication of smartcards.

71. As per claim 11 Jachimowicz teaches the method of claim 10, wherein initiating the communication further comprises initiating the communication through an infrared transceiver of the terminal. It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Jachimowicz to teach the above. The motivation is to describe online contactless communication of smartcards.

72. As per claim 12 Fox teaches the method of claim 11, wherein the terminal comprises an automated teller machine(col 5 lines 12-25). It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Jachimosicz to teach the above. The motivation is to describe online contactless communication of smartcards.

73. As per claim 14 Fox teaches the method of claim 11, wherein the terminal comprises a telephone(col 2 lines 10-29)(col 4 lines 9-29). It would have been obvious to one skilled in the art

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at the time of the invention to combine Fox in view of Claus and further in view of Jachimowicz to teach the above. The motivation is to describe online contactless communication of smartcards.

74. As per claim 64 Jachimowicz teaches the method of claim 63 wherein initiating the communication further comprises initiating an infrared communication interface(col 1 line 62-col 2 line 12).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Jachimowicz to teach the above. The motivation is to describe online contactless communication of smartcards.

75. As per claim 65 Jachimowicz teaches the method of claim 63 wherein initiating the communication further comprises initiating an infrared communication interface(col 1 line 62-col 2 line 12), and a wireless form of communication.It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Jachimowicz to teach the above. The motivation is to describe online contactless communication of smartcards.

76. Claims 19,24,29,52,54,60,70,72,77 are rejected under 35 USC 103(a) as unpatenable over Fox(US Pat. No:5,943,624) in view of Claus(US Pat. No: 5,461,217) and further in view of Pitroda(US Pat. No: 5,590,038).

77. As per claim 19 Pitroda teaches the method of claim 17, wherein the terminal comprises a personal computer(col 2 line 66-col 3 line 3).It would have been obvious to one skilled in the art

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at the time of the invention to combine Fox in view of Claus and further in view of Pitroda to teach the above. The motivation is to describe online contactless communication of smartcards.

78. As per claim 24 Pitroda teaches the method of claim 22, wherein the terminal comprises a personal computer(col 2 line 66-col 3 line 3).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Pitroda to teach the above. The motivation is to describe online contactless communication of smartcards.

79. As per claim 29 Pitroda teaches the method of claim 27, wherein the terminal comprises a personal computer(col 2 line 66-col 3 line 3). It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and in further view of Pitroda to teach the above. The motivation is to describe online contactless communication of smartcards.

80. As per claim 52 Pitroda teaches the method of claim 50, wherein the terminal comprises a personal computer(col 2 line 66-col 3 line 3).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Pitroda to teach the above. The motivation is to describe online contactless communication of smartcards

81. As per claim 54 Fox teaches the method of claim 52, wherein the telephone further comprises a wireless telephone(Fig. 1).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Pitroda to teach the above. The motivation is to describe online contactless communication of smartcards.

82. As per claim 60 Pitroda teaches the method of claim 58, wherein the terminal comprises a personal computer(col 2 line 66-col 3 line 3). It would have been obvious to one skilled in the art

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at the time of the invention to combine Fox in view of Claus and in further view of Pitroda to teach the above. The motivation is to describe online contactless communication of smartcards.

83. As per claim 70 Pitroda teaches the method of claim 68, wherein the terminal comprises a personal computer(col 2 lines 66-col 3 line 3).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Pitroda to teach the above. The motivation is to describe online contactless communication of smartcards.

84. As per claim 72 Pitroda teaches the system of claim 63, wherein the on-line system comprises a bank host on-line system(col 2 lines 44-66).It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and further in view of Pitroda to teach the above. The motivation is to describe online contactless communication of smartcards.

85. As per claim 77 Pitroda teaches the method of claim 75, wherein the terminal comprises a personal computer(col 2 line 66-col 3 line 3). It would have been obvious to one skilled in the art at the time of the invention to combine Fox in view of Claus and in further view of Pitroda to teach the above. The motivation is to describe online contactless communication of smartcards.

Response to Arguments

86. Applicant's arguments filed 9/13/01 have been fully considered but they are not persuasive.

Applicant's invention is directed toward establishing a physical contact communication between a smart card and a device to access a smart card application and initiating a contactless communication between the smart card application and the online system(Applicant's Remarks,

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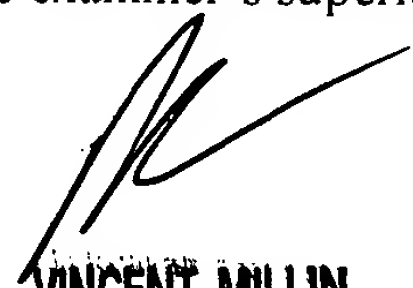
page 5). Saitoh (US Pat. No: 5,929,414) teaches a smart card capable of being operated with both a contact IC card reader-writer and a non-contact IC card reader-writer and an IC card reader-writer capable of operating with both a contact IC card and a non-contact IC card (Abstract) (col 2 lines 36-58). Saitoh teaches the applicant's invention which is not novel.

Conclusion

87. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Questions concerning this communication should be directed to the examiner, Dr. Geoffrey Akers, P.E. who can be contacted between the hours of 6:30 AM and 5:00 PM Monday through Friday. If attempts to reach the examiner are unsuccessful, the examiner's superior, Mr. Vincent Millin, SPE may be telephoned at (703)-308-1065.

GRA 9/24/01


VINCENT MILLIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100



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Attachment for PTO-948 (Rev. 03/01, or earlier)
6/18/01

The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.

INFORMATION ON HOW TO EFFECT DRAWING CHANGES

1. Correction of Informalities -- 37 CFR 1.85

New corrected drawings must be filed with the changes incorporated therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the Notice of Allowability. Extensions of time may **NOT** be obtained under the provisions of 37 CFR 1.136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.

All changes to the drawings, other than informalities noted by the Draftsperson, **MUST** be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.

Timing of Corrections

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a).

Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.